

## ARGUMENTS IN RESPONSE TO OBJECTIONS

### RE: CLAIMS OBJECTIONS PER SECTION 112

The claims have been amended to respectfully traverse the objections per section 112 and to more clearly define the subject matter of the invention. The already claimed driven axle and driving axle were more concisely worded to reflect the constant distance therebetween recited in the specification and no new matter has been added.

### *Claim Rejections per Kammer per 35 USC §102*

The examiner has rejected prior claims per U.S. Patent 2,245,280 (Kammer) under 35 USC §102.

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984).

Applicant's claims have been amended to more clearly state the subject matter of the invention. As shown in figure 2 and figure 3 of Applicant's specification, and specified on page 6, line 14-15, and page 7, lines 12-13, Applicant's device has a constant or fixed spacing between the axes on which both eccentric gears rotate and the eccentric gears are in engagement to their respective shafts. The driving shaft in Applicant's device is engaged to eccentric geared segment and directly provides the power to rotate the system.

The cited device of Kammer on the other hand, lacks a constant spacing between the two axes of the eccentric gears. On page 1, column 2 lines 30 -39, Kammer teaches the vertical slide (1) providing a sliding or moving mount for shaft (16). On page 2, lines 15-75, Kramer again teaches the fact that the shaft (16) slides inside slide (18)(figure 2) and that the distance between the first axis 7 and the second axis 16, varies depending on how much the second axis (16) moves inside slide (18).

Additionally, A bearing (24) separates the driving gear (8) from the shaft (7) on which it rotates. The driving gear (8) is not formed on the shaft (7) and does not get power from the shaft (7) but instead relies on gear wheel (5) for such power.

Consequently, Kammer teaches a device that lacks the constant spacing between the axes of the two eccentric gears, and operates much differently in that the driving gear (8) spins freely on an shaft (7) and must be in geared engagement to gear wheel (5) for power. This operates much differently than Applicant's claimed and taught device which employs the driving shaft of Applicant's device directly communicates power to the connected eccentric gear and a constant spacing is maintained between the two gear axes during operation.

As such, Kammer lacks structure and resulting function claimed in Applicant's device and the Examiner objection per section 102 is respectfully traversed.

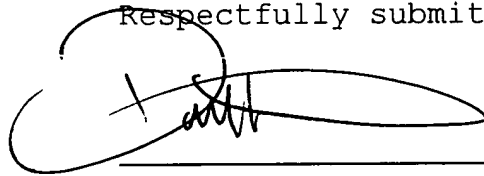
# FINAL REMARKS

The suggested changes for clarity by the Examiner have been included herein and the claims amended to more clearly define the subject matter of the invention.

The application should now be in position for allowance.

Further, should the Examiner have suggestions to more clearly define the claims to more clearly define the patentable subject matter, the Applicant's attorney would be most receptive to such by telephone or Examiner's amendment.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Donn K. Harms', is written over a horizontal line. The signature is stylized with a large loop at the end.

Donn K. Harms  
Reg No 38,911  
Attorney for Applicant

12702 Via Cortina, Ste. 100  
Del Mar, CA 9014  
Tel: (858) 509-1400  
Fax: (858) 509-1677

**IN THE DRAWINGS**

Corrected drawings are submitted herewith.